

# STATE OF ILLINOIS



## **Department of Financial and Professional Regulation Division of Insurance**

IN THE MATTER OF THE  
REVOCATION OF LICENSING  
AUTHORITY OF:

Frances L. Brooks  
7215 S. Christiana  
Chicago, Illinois 60629

### ORDER OF REVOCATION

I, Michael T. McRaith, Director of Insurance, Illinois Department of Financial and Professional Regulation, Division of Insurance, hereby revoke the license of Frances L. Brooks (Licensee) to take effect 30 days from the date of mailing of this Order pursuant to Section 500-70 of the Illinois Insurance Code (215 ILCS 5/500-70).

Based upon an investigation and review of the Licensee by the Producer Section of the Division of Insurance, the Director alleges that:

- A. Documentation obtained during the examination revealed that the Licensee improperly withheld premiums collected in the amount of \$268.39 from six (6) consumers for the period of November 1, 2003 through November 17, 2003 which were due American General Life and Accident Insurance Company.

By the above stated actions, the Licensee has improperly withheld premiums that are required to be maintained in a fiduciary capacity in violation of Section 500-115 of the Illinois Insurance Code (215 ILCS 5/500-115) which is a ground for revocation pursuant to Section 500-70 (a) (4) of the Illinois Insurance Code (215 ILCS 5/500-70 (a) (4)).

Therefore, the Licensee has violated an insurance law and has demonstrated untrustworthiness, incompetence and financial irresponsibility which are grounds for revocation pursuant to Section 500-70 (a) (2) and (8) of the Illinois Insurance Code (215 ILCS 5/500-70 (a) (2) and (8)).

- B. The Division of Insurance Examiner sent Certified and First Class letters to the Licensee on March 1, 2005, April 6, 2005 and May 4, 2005. The certified letter of March 1, 2005 was returned by the Post Office marked "Unclaimed". The First Class letter was not returned. The Licensee received the April 6, 2005 certified letter on April 13, 2005. The First Class letter was not returned. The Licensee received the May 4, 2005 certified letter on May 7, 2005. The First Class Letter was not returned.

The Division of Insurance Examiner contacted the Licensee on March 18, 2005. She advised that she was not aware she owed the carrier premium payments. The Licensee stated she would provide the Division of Insurance with proof of payment, but the Division of Insurance never received any supportive documentation. The Division of Insurance attempted to contact the Licensee at her home telephone number and left messages on March 22, 2005, but she never returned the telephone call.

By failing to respond to the Department's requests, the Licensee did not facilitate and aid the Director in the examination, in violation of Section 500-110 (b) of the Illinois Insurance Code (215 ILCS 5/500-110 (b)). Therefore, the Licensee has violated an insurance law and has demonstrated incompetence and untrustworthiness which are grounds for revocation pursuant to Section 500-70 (a) (2) and (8) of the Illinois Insurance Code (215 ILCS 5/500-70 (a) (2) and (8)).

This Order of Revocation shall take effect 30 days from the date of mailing but shall be stayed if within 30-day period a written request for hearing is filed with the Director. Any correspondence concerning this Order of Revocation shall be addressed to the Division of Insurance, Producer Section, 320 West Washington Street, Springfield, Illinois 62767-0001.

50 Ill. Adm. Code 2402 governs hearings before the Division of Insurance. Section 408(5)(a) of the Illinois Insurance Code (215 ILCS 5/408) and 50 Ill. Adm. Code 2402.270(d) provide that the costs of a hearing may be assessed against the parties.

DEPARTMENT OF FINANCIAL AND  
PROFESSIONAL REGULATION of the State  
of Illinois; FERNANDO E. GRILLO,  
SECRETARY

DIVISION OF INSURANCE

Date:

June 24, 2005

Michael T. McRaith

Michael T. McRaith  
Director of Insurance

MTM:yr543